

REMARKS

Claim Rejections -- 35 USC § 102 and § 103

Claims 1, 2, 4, 6, 10-14, 16, 18, and 22-24 are rejected under 35 USC § 102(e) as being anticipated by U.S. Publication No. 2004/0051827 to Hinata et al. ("Hinata"). Claims 3, 5, 9, 15, 17, and 21 are rejected under 35 USC § 103(a) as being unpatentable over Hinata. Claims 7, 8, 19, and 20 are rejected under 35 USC § 103(a) as being unpatentable over Hinata in view of U.S. Publication No. 2002/0075433 to Nishio ("Nishio").

While all the rejections rely on Hinata as being a prior art reference, Applicant respectfully traverses the rejections on the ground that Hinata is not a proper prior art reference for the subject application under 35 USC § 102(e). A prior art reference under 35 USC § 102(e) is (1) an application for a patent, published under section 122(b), by another filed *in the United States* before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent The U.S. filing date of Hinata (June 24, 2003) is after the filing date of the subject application. Thus, Hinata is not a proper prior art reference and the rejections are moot.

Conclusion

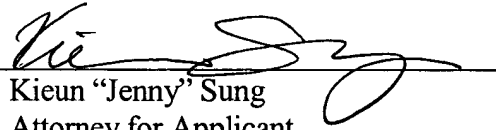
Based on the foregoing, Claims 1-24 are considered to be in condition for allowance. Please telephone the undersigned attorney at (650) 833-2121 if there are any questions.

Respectfully submitted,

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